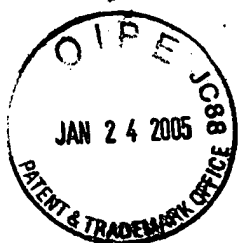


AF
EM



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December 20, 2004

In re Application of:
SIEGLER et al.

For: PEDESTRIAN TRAFFIC CONTROL DEVICE HAVING TAPE BELOW TOP
OF POST

Serial No. 10/055,637

Filed: January 23, 2002

Examining Attorney: Ryan M. Flandro
Art Unit 3679

Box RESPONSES

FEE

Commissioner for Trademarks
2900 Crystal Drive
Alexandria, VA 22202-3514

RECEIVED
JAN 24 2005
OIPE/JCWS

Sir:

Accompanying this letter is a response to the office action dated June 23, 2004.

Applicant requests reinstatement of the Appeal filed in this case on October 20, 2003. No fee is required for such reinstatement since the Appeal fee was paid at the time the previous Appeal was filed.

Applicant requests a three-month extension of time for a response to the office action dated June 23, 2004. Please charge the \$510.00 fee for this extension to Deposit Account No. 06-0735.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SIEGLER et al.

For: PEDESTRIAN TRAFFIC CONTROL DEVICE HAVING TAPE BELOW TOP
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Serial No. 10/055,637

Filed: January 23, 2002

Examining Attorney: Ryan M. Flandro

Art Unit 3679

Box RESPONSES

FEE

Commissioner for Trademarks

2900 Crystal Drive

Arlington, Virginia 22202-3514

Sir:

This responds to the office action dated June 23, 2004.

Reconsideration is requested in view of the following
comments.

Each of the dependent Claims, 2-6 and 8, have been objected to because they begin with the word "A" rather than with the word "The". However, it is believed that dependent claims beginning with "A" rather than with "The" is acceptable claim drafting form. The Examiner's attention is directed to the claims of applicants' Patent No. 6,375,164, of which the present application is a continuation-in-part, as well as references relied upon by the Examiner in previous office actions, namely, the Oster and Falcon patents. If the Examiner has authority for the proposition that dependent claims must begin with "The" rather than with "A", he is respectfully requested to cite such authority.

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Box RESPONSES

FEE

Commissioner for Trademarks

For: PEDESTRIAN TRAFFIC CONTROL DEVICE HAVING TAPE BELOW TOP
OF POST

Serial No. 10/055,637

December 20, 2004

Page 2

Please charge any other fees which may be required in connection with this application to Deposit Account No. 06-0735.

Respectfully,

Alan H. Levine

Attorney for Applicants

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3514, ON THE DATE INDICATED BELOW.

NAME

DATE

December 20, 2004

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